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THURSDAY, FEBRUARY 27, 1908.

Langford of the 3 Bars.

CHAPTER XV. The Trial.

The next morning every available seat was filled early. People had blocked the rough plank walks leading to the courthouse long before the doors were unlocked. The day promised to be fine, and the many teams coming and going between Kansas and the river to pick up the Velpen people who had crossed the ice on foot gave to the little town somewhat of the gala appearance of fair time. The stately and blanketed Sioux from their temporary camps on the flat were standing around, uncommunicative, waiting for proceedings to begin. Long before the judicial party had arrived from the hotel the cramped room was crowded to its limits. There was loud talking, laughing and joking. Local wits amused themselves and others by throwing quips at different members of the county bar or their brethren from across the river as they walked to their places inside the railings with the little mannerisms that were peculiar to each.

The door in the rear of the bar opened and Judge Dale entered. A comparative quiet fell upon the people. He mounted to his high bench. The clerk came in, then the court reporter. She tossed her note books on the table, leisurely pulled off her gloves and took her place, examining the end of her pencils with a critical eye. It would be a busy day for the "gal reporter." Then Langford came shoving his way down the crowded aisle with a sad-faced, brown-eyed, young woman in his wake, who yet held herself erect with a proud little tilt to her chin. There was not an empty seat outside the bar. Louise motioned, and he escorted Mary to a place within and sat down beside her. The jurymen were all in their chairs. Presently came in Gordon with his quiet, self-reliant manner. Langford had been right. The county attorney was not tired to-day.

Shortly after Gordon came Small—Small, the dynamic, whose explosive had so often laid waste the weak and abortive independent reasoning powers of "Old Necessity" and his sort, and were the subject of much satire and some admiration when the legal fraternity talked "shop." As he strode to his place, he radiated bombs of just and telling wrath. He scintillated with aggressiveness. With him came Jesse Black, easy and disdainful as of old. After them, a small man came gliding in, with as little commotion as if he were sliding over the floor of a waxed dancing hall in patent leather pumps. He was an unassuming little man with quick, catlike movements which one knew if one were not on the alert. When he had slipped into a chair next his associate, Small, the inflammable Small, towered above him head and shoulders.

"Easy back the criminal," audibly observed a stranger, an Englishman over to invest in lands for stocking a horse ranch. "Strange how they always wear the imprint on their faces. No escaping it. I fancy that is what the Scriptures meant by the mark of Cain."

The remark was addressed to no in particular, but it reached the ears of Jim Munson, who was standing near. "Good Lord, man!" he said, with a grin, "that's the plumb smartest criminal lawyer in the hull county. That's a fac." Lord, Lord! Him Jesse Black?

His risibilities continued to thus get the better of his gravity at frequent intervals during the day. He never failed to snort aloud in pure delight whenever he thought of it. What a tale for the boys when he could get to them!

"These cattle men!" This time the tenderfoot communicated with himself—he had a square chin and a direct eye; there were possibilities in him. "Their garvored sense of the ridiculous is disabbling."

There were others who did not know the little man. He hailed from the southern part of the state. But Gordon knew him. He knew he was allied against one of the sharpest, sturdiest men of his day.

"Gentlemen, I think we are ready," said the judge, and the game was on again.

The state called Paul Langford, its principal witness in default of Williston.

"Your name, place of residence and business?" asked the counsel for the state.

"Paul Langford, I reside in Kansas county and I own and operate a cattle ranch."

After Langford had clearly described and identified the animal in question, Gordon continued:

"Mr. Langford, when did you first miss this steer?"

"On the 15th day of July last."

"How did you happen to miss this steer?"

"My attention was called to the fact that an animal answering this description and bearing my brand had been seen under suspicious detention."

"Prior to information thus received, you were not aware this creature had either strayed away or been stolen?"

"I was not."

"Who gave you this information, Mr. Langford?"

"George Williston of the Lazy E."

"Now you may tell the jury in what words Williston told you about the steer he saw?"

This, of course, was objected to and the objection was sustained by the court, as Gordon knew it would be. He only wanted the jury to remember that Williston could have told a damaging story had he been here, and also to remember how mysteriously this same Williston had disappeared. He could not have Williston or Williston's story, but he might keep an impression ever before these 12 men that there was a story—he knew it and they knew it—a story of which some cruet of the law forbade the telling.

"What did you do after your attention had been called to the suspicious circumstances of the steer's detention?"

"I informed my boys of what I had heard and sent them out to look for the steer."

"That same day?"

"Yes."

"Were they successful?"

"No."

"Did this steer have a particular stamping ground?"

"He did."

"Where was that?"

"He always ranged with a bunch on what we call the home range."

"Near the ranch house?"

"Within half a mile."

"Did you look for him yourself?"

"I did."

"He was not on this home grazing ground?"

"He was not."

"Did you look elsewhere for him?"

"We did."

"Where?"

"We rode the free ranges for several days—wherever any of my cattle held out."

"How many days did you say you rode?"

"Why, we continued to look sharp until my boy, Munson, found him the day before the preliminary at the Velpen stock yards, on the point of being shipped to Sioux City."

"You went to Velpen to identify this steer?"

"I did."

"It was your steer?"

"Yes."

"The same for which you had been searching so long?"

"The very same."

"It was wearing your brand?"

"It was not."

"What brand was it wearing?"

"J. R."

"Where was it?"

"On the right hip."

"Where do you usually put your brand, Mr. Langford?"

"Always."

"Do you know any J. R. outfit?"

"I do not."

Gordon nodded to Small. His examination had been straightforward and to the point. He had drawn short and confident answers from his witness. Involuntarily, he glanced at Louise,

care so much now. A great medicine is a womanly and an understanding smile. It flushed his face a bit, too.

Langford was most unsatisfactory under cross-examination. He never contradicted himself, and was a trifle contemptuous of any effort to tangle him up in threads of his own weaving. The little man touched Small on the arm and whispered to him.

"Mr. Langford," said Small, in a weighty voice, "you travel a great deal, I believe."

"I do."

"For pleasure, maybe?" with a mysterious intonation.

"Partly."

"Business as well?"

"Business as well."

"Just prior to the arrest of the defendant," insinuatingly, "you were away."

"How long prior do you mean?"

"Say a week."

"No."

"Two weeks?"

"Yes."

"You had been away some time?"

"The better part of a year," confessed Langford, with engaging candor.

"Yes. Now, Mr. Langford, I should like you to tell me about how many cattle you range—in round numbers?"

"About 5,000 head."

"Yes. Now, Mr. Langford, you who count your cattle by the thousands, on your own sworn word you have been out of the country a year. Don't you think you are asking this jury to swallow a pretty big mouthful when you ask them to believe that you could so unmistakably distinguish this case poor ornery steer, who has so little to distinguish him from thousands of others?"

"I have owned that spotted steer for years," said Langford, composedly. "I have never sold him because he was rather an odd creature and so cantankerous that we dubbed him the Three Bars' mascot."

Gordon called Jim Munson.

"What is your name?"

"Gosh!"

The question was unexpected. Was there any one in the county who did not know Jim Munson? And Dick Gordon of all people! Then he remembered that the boss had been asked the same question, so it must be all right. But the ways of the court were surely mysterious and oftentimes foolish.

"Jim Munson. Jim Munson's my name—yep."

Gordon smiled.

"You needn't insist on it, Mr. Munson," he advised. "We know it now. Where do you live?"

"Hellity damn! I live at the Three Bars' ranch."

"In Kansas county?"

"It sure is."

"What is your business, Mr. Munson?"

"Jim's shorter, Dick. Well, I work for the boss, Mr. Paul Langford."

"In what capacity?"

"If you mean what do I do, why, I ride the range, I punch cows, I always go on the round-up, I'm a fair bronco-breaker and I make up bunks and clean lamp chimneys between times."

he recited, glibly, bound to be terse yet explicit, by advice of the boss.

There was a gale of laughter in the bar. Even the court smiled.

"Oh, Jim! Jim! You have perjured yourself already!" murmured the boss.

"Clean lamp chimneys—ye gods!"

"Well, grin away!" exploded Jim, his quick fire rising. He had forgotten that Judge Dale's court was not like Justice McAllister's. His fingers fairly itched to draw a pistol and make the scoffers laugh and dance to a little music of his own. But something in Gordon's steady though seemingly careless gaze brought him back to the seriousness of the scene they were playing—without guns.

The examination proceeded. The air was getting stifling. Windows were thrown open. Damp-looking clouds had arisen from nowhere seemingly and spread over the little prairie town, over the river and the hills. It was very warm. Weather-seasoned inhabitants would have predicted storm had they not been otherwise engaged. There was no breath of air stirring. Mrs. Higgins had said it was a sorry day for the cattle when the river was running in December. Others had said so and so believed, but people were not thinking of the cattle now. One big-boned, long-horned steer held the stage alone.

The state proceeded to Munson's identification of the steer in question. After many and searching questions, Gordon asked the witness:

"Jim, would you be willing to swear that the steer you had held over at the stock yards was the very same steer that was the mascot of the Three Bars' ranch?"

"This was Jim's big opportunity."

"Know Mag? Swear to Mag? Dick, I would know Mag if I met him on the golden streets of the eternal city or if my eyes was full of 'soudin' cataracts! Yep."

"I am not asking such an impossible feat, Mr. Munson," cut in Gordon, nettled by the digressions of one of his most important witnesses. "Answer briefly, please. Would you be willing to swear?"

Jim was jerked back to the beaten track by the sharp incision of Gordon's rebuke. No, this was indeed not Jimmie Mac's court.

"Yep," he answered, shortly.

Billy Brown was called. After the preliminary questions, Gordon said to him:

"Now, Mr. Brown, please tell the jury how you came into possession of the steer."

"Well, I was shippin' a couple o' car loads to Sioux City, and I was drivin' the bunch myself with a couple o' hands when I meets up with Jesse Black here. He was herdin' a likely little bunch o' a half dozen or so—

among 'em this spotted teller. He said he wasn't shippin' any this fall, but these were for sale—part of a lot he had bought from Yellow Wolf. So the upshot of the matter was I took 'em off his hands. I was just lackin' 'bout that many to make a good, clean, two cars full."

"You took a bill-of-sale for them, of course, Mr. Brown?"

"I sure did. I'm too old a hand to buy without a bill-o'-sale."

The document was produced, marked as an exhibit, and offered in evidence.

The hearing of testimony for the state went on all through that day. It was late when the state rested its case—so late that the defence would not be taken up until the following day. It was all in—for wear or for woe. In some way all of the state's witnesses—with the possible exception of Munson, who would argue with the angel Gabriel at the last day and offer to give him lessons in trumpet-blowing—had been imbued with the earnest, honest, straightforward policy of the state's counsel. Gordon's friends were hopeful. Langford was jubilant, and he believed in the tolerable integrity of Gordon's hard-won jury.

Gordon's presentation of the case thus far had made him friends; fickle friends, maybe, who would turn when the wind turned—to-morrow—but true it was that when court adjourned late in the afternoon, many who had jeered at him as a visionary or an unwellcome meddler acknowledged to themselves that they might have erred in their judgment.

As on the previous night, Gordon was tired. He walked aimlessly to a window within the bar and leaned against it, looking at the still, oppressive, cloudy dampness outside, with the early December darkness coming on apace. Lights were already twinkling in kitchens where house wives were busy with the evening meal.

"Well, Dick," said Langford, coming up cheery and confident.

"Well, Paul, it's all in."

"And well in, old man."

"I don't know, Paul. I hope so. That quiet little man from down country has not been much heard from, you know. I am afraid, a moral uplift isn't my stunt. I'm tired! I feel like a rag."

Langford was called away for a moment. When he returned, Gordon was gone. He was not at supper.

"He went away on his horse," explained Louise, in answer to Langford's unspoken question. "I saw him ride into the country."

When the party separated for the night, Gordon had not yet returned.

[To be Continued]

TO THE VOTERS OF THE CITY OF BAXTER SPRINGS.

State of Kansas, county of Cherokee, city of Baxter Springs, ss.

All voters of the city of Baxter Springs, county of Cherokee, state of Kansas, are hereby required to register at the office of the city clerk of said city not later than ten days before election day, which will be the first Tuesday in April, 1908. The city clerk of said city has opened a new set of registration books and all persons are required to register in said books within said prescribed time to be entitled to vote at said election.

Witness my hand this 12th day of February, 1908.

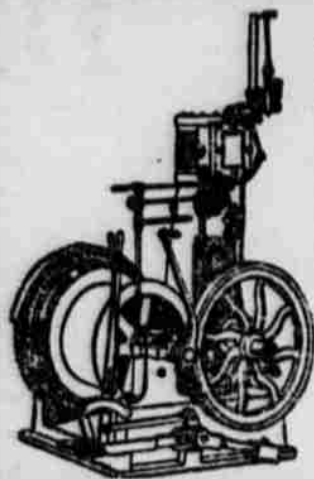
C. M. JONES, Mayor.

Attest: GEO. C. CONNOR, [SEAL.] City Clerk.

The "As You Like It" club entertained the "Avon Club" on last Friday at the home of Mrs. T. H. Goodwin. A very interesting, humorous and unique program was given. Mrs. E. C. Gaines opened the program by a beautiful instrumental solo; this was followed by a paper from Mrs. Goodwin, which was highly applauded. Mrs. Thompson gave a most interesting talk and to the majority of members of both clubs was an eye opener to the need of work by not only club women, but others in our town.

Mrs. Harvey's humorous recitation was received with applause and highly appreciated. Mrs. Binns' unique letter for the benefit of the Avon girls was a decided hit. Mrs. Ed. Polster's vocal solo was rendered in such a manner as to call forth renewed encores. At the close of the program the members of both clubs were called upon to write a short verse in rhyme about George Washington, for which a prize was given to Miss Amelia Bischoffberger for the best. Miss Grace Perkins kindly assisted in the pleasures of the afternoon by rendering some beautiful instrumental solos. Refreshments were served after which members and guests joined in the "Virginia Reel." This ended a most enjoyable afternoon. A Gaze.

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NORTH BOUND.

No. 114 for Kansas City departs at	11:50 pm
No. 110 for Kansas City via Cherokee departs at	2:35 am
No. 116 for Kansas City via Pittsburg departs at	10:20 am
No. 118 for Kansas City via Pittsburg departs at	3:50 pm
No. 324 for Kansas City via Joplin departs at	10:50 am

SOUTH BOUND.

No. 109 for Oklahoma City via Afton departs at	1:05 am
No. 123 for Oklahoma City via Afton departs at	9:50 am
No. 111 for Fort Worth via Afton departs at	5:10 pm

EAST BOUND.

No. 316 for Joplin departs at	6:30 am
No. 302 for St. Louis via Joplin departs at	3:00 am
No. 324 for Kansas City via Joplin and Pittsburg departs at	10:50 am
No. 310 for Joplin departs at	9:45 am
No. 320 for Joplin from Kansas City departs at	2:25 pm
No. 318 for Joplin from points south departs at	8:25 pm
No. 308 for Joplin and St. Louis from Wichita departs at	7:35 pm

WEST BOUND.

No. 126 from St. Louis to Wichita and west departs at	1:55 am
No. 128 from St. Louis to Wichita and west departs at	9:10 am

This schedule went into effect Dec. 1, 1907.

C. S. ROBERTS, Agent.



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